

REMARKS

In the Office Action, claims 1 - 4, 7 - 19, 22 - 24, 26 - 30, and 32 - 40 were noted as pending in the application; claims 16 - 19, 22 - 24, 26 - 30, and 32 - 40 were allowed; claims 1, 7, 8, 10, and 11 were rejected; and claims 2 - 4, 9, and 12 - 15 were objected to. By this amendment, claims 1, 3, 4, 12, 16, 18, 19, 33, 38, and 40 have been amended. Thus, claims 1 - 4, 7 - 19, 22 - 24, 26 - 30, and 32 - 40 remain pending in the application. The rejections of the Office Action are discussed below.

Amendments to the Claims

Claims 1, 3, 4, 16, 18, 19, 38, and 40 have been amended herein to better match their antecedent basis.

Rejection of Claims 1, 7, 8, 10, and 11 Under an Obviousness-Type Double Patenting

Rejection

In item 2.1, on pages 2 - 3 of the Office Action, claims 1, 7, 8, 10, and 11 were rejected under an obviousness-type double patenting rejection over claims 1, 2, 4, 5, 7, and 9 of U.S. Patent No. 7,228,508 to Pippin. A terminal disclaimer is being filed herewith to U.S. Patent No. 7,228,508. The Applicant respectfully submits that the terminal disclaimer obviates the obviousness-type double patenting rejection and requests that the rejection of claims 1, 7, 8, 10, and 11 be withdrawn.

Objection of Claims 2 - 4, 9, and 12 - 15

In item 3, on page 3 of the Office Action, claims 2 - 4, 9, and 12 - 15 are objected to as being dependent upon a rejected base claim. The Applicant respectfully submits that the rejection of independent claim 1, from which claims 2 - 4, 9, and 12 - 15 directly or ultimately depend, has been obviated by the filing of the terminal disclaimer to U.S. Patent No. 7,228,508, thereby rendering the objection to claims 2 - 4, 9, and 12 - 15 moot. Withdrawal of the objection to claims 2 - 4, 9, and 12 - 15 is respectfully requested.

Allowable Subject Matter


The Applicant notes with appreciation that the Office Action indicated in item 4, on page 3 of the Office Action, that claims 16 - 19, 22 - 24, 26 - 30, and 32 - 40 are deemed allowable over the prior art of record, "pending resolution of any rejections noted above." The Applicant respectfully submits that the single rejection above, namely the obviousness-type double patenting rejection of claims 1, 7, 8, 10, and 11, is independent from the allowability of claims 16 - 19, 22 - 24, 26 - 20, and 32 - 40 at least because none of these allowed claims depends from any of the rejected claims. Further, the rejection of claims 1, 7, 8, 10, and 11 has been obviated by the filing of a terminal disclaimer to U.S. Patent No. 7,228,508. Therefore, the Applicant respectfully submits that all pending claims are believed to be in a condition for allowance.

Summary

It is submitted that the sole remaining rejection of the Office Action has been addressed and that all pending claims, namely claims 1 - 4, 7 - 19, 22 - 24, 26 - 30, and 32 - 40, are deemed to be in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

If any fees are required in connection with this Amendment, please charge the same to our Deposit Account No. 50-4047.

Respectfully submitted,
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